



July 28, 2022

**VIA NYSCEF**

Justice Phillip Hom  
Part 14  
25-10 Court Square, Room 233  
Long Island City, NY 11101

**RE: Jane Doe et al v. Saad El-Din Rafik Hariri et al**  
**Index No. 723759/2021**

Dear Judge Hom:

Please be advised that this office represents Plaintiffs in the above-captioned matter. I respectfully write this letter in connection with Plaintiffs' filing of a Notice of Discontinuance (Dkt. No. 15) dated June 13, 2022.

As a matter of background, Plaintiffs filed their Complaint on May 2, 2022 (Dkt. No. 7). Defendants submitted a motion to dismiss Plaintiffs' Complaint on May 3, 2022 (Dkt. No. 8).

Prior to the return date on Defendants' motion to dismiss and in accordance with CPLR 3217(a)(1), Plaintiffs Jane Doe 1 and Jane Doe 2, hereby discontinued this proceeding, without prejudice, and without costs to any party. Nevertheless, the docket reflects that this matter has not yet been discontinued, and that Defendants' motion to dismiss is still pending.

Plaintiffs discontinued this action prior to the return date of Defendants' motion to dismiss and therefore did not submit an opposition. We respectfully request that Your Honor direct the Clerk of the Court to discontinue this matter. In the event that Your Honor does not So Order Plaintiffs' Notice of Discontinuance, in the alternative, we respectfully request as a matter of justice and fairness that Your Honor permit Plaintiffs additional time to submit an opposition to Defendants' motion so that this matter may be decided on the merits.

Thank you for your consideration of this request. Please let us know if Your Honor requires any additional information.

Respectfully submitted,

DEREK SMITH LAW GROUP, PLLC

/s/Zachary Holzberg  
Zachary Holzberg

Cc: Counsel for Defendants (via ECF)

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